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LABOUR LAW

SUPPLEMENTARY MATERIALS

(LANGILLE & BEATTY)
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LABOUR LAW

SUPPLEMENTARY MATERIALS

I. REQUIRED MATERIAL

Labour Law 5th edition (Queen's Ind. Rel. Centre, 1991)
Beatty & Langille, Labour Law Supplement (1992)
Ontario Labour Relations Act and 1992 Amendments
Ontario Employment Standards Act
Ontario Human Rights Code, 1981
Ontario Pay Equity Act

II. BACKGROUND MATERIAL

A. Canadian

1. Beatty, Putting the Charter to Work (McGill/Queen's 1987)
2. Weiler, Reconcilable Differences (Carswell, 1981)
3. Arthurs, Carter, Glasbeek, Labour Law and Industrial Relations in Canada (3d ed. 1988)
4. Adams, Canadian Labour Law (Canada Law Book, 1985)
5. Sack and Mitchell, Ontario Labour Relations Board Law and Practice (Butterworths, 1985)
6. Christie, Employment Law in Canada (Butterworths, 1980)
7. Swan and Swinton, Studies in Labour Law (Butterworths, 1980)
8. Dorsey, Canadian Labour Relations Board: Federal Law and Practice (Carswell, 1983)
9. Foisy et al., Canadian Labour Relations Board Policies and Procedures (Butterworths, 1986)
10. Panitch and Swartz, The Assault on Trade Union Freedoms (Garamond, 1988)
11. England, ed., Essays in Labour Relations Law (CCH, 1986)
12. Hébert et al., The State of the Art in Industrial Relations (Queen's, 1988)
13. Gagnon, Lebel, Verge, Droit du Travail (Laval, 1991)

B. American - Collective Bargaining

1. Gorman, Basic Text on Labor Law (West, 1976)
2. Morris, The Developing Labour Law, 2nd ed. (BNA, 1984) (and supplements)
3. Gould, A Primer on Labor Law (MIT, 1982)
4. Atleson, Values and Assumptions in American Labor Law (U. Mass., 1983)
5. Wellington, Labor and the Legal Process (Yale, 1968)
6. Getman, Golberg and Herman, Union Representation Elections: Law and Reality (Russell Sage, 1976)
8. Weiler, Governing the Workplace: The Future of Labor and Employment Law (Harvard University Press, 1990)
9. Freeman and Medoff, What do Unions Do?

C. Arbitration

1. Brown and Beatty, Canadian Labour Arbitration (Carswell)
2. Palmer, Collective Agreement Arbitration in Canada (2nd ed.)
3. Gorsky, Evidence and Procedure in Canadian Labour Arbitration (1981)
4. Adams, Grievance and Arbitration of Discharge Cases (Queen's, 1978)
5. Barnacle, Arbitration of Discharge Grievances in Ontario (Queen's, 1991)

D. Other

1. Freedland, The Contract of Employment (O.U.P., 1976)
2. Harris, Wrongful dismissal
3. Symposium in (1984), 51 U. Chicago Law Review
4. Davies and Freedland, Kahn-Freund's Labour and the Law, Third Edition (Stevens, 1983)
5. Tarnopolsky, Discrimination and the Law in Canada (De Boo, 1982)
6. Keane, Human Rights in Ontario (Carswell, 1983)
7. Ison, Workers Compensation in Canada (Butterworths, 1983)
8. Cuneo, Pay-Equity: The Labour-Feminist Challenge (Toronto: Oxford University Press, 1990)
9. Labour Law Under the Charter (Kingston: Queen's Law Journal, 1988)

III. METHOD OF EVALUATION

Evaluation will be by written examination (one-half of final mark), and one essay (10 double-spaced pages -- one-half of final mark) handed out during the term and handed in at the end of the examination period. Exact dates to be fixed. Late essays will be penalized.

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LABOUR LAW

Professor Langille

Spring 1993

SESSION 1	Tue Jan 5	Introduction and Overview Casebook: pp. 1-10, 148-52, 27-47
SESSION 2	Thu Jan 7	Common Law of Employment I Casebook: pp. 68-117
SESSION 3	Tue Jan 12	Common Law of Employment II Casebook: pp. 117-147 Guest: Ross Wells; Gowling, Strathy & Archibald
SESSION 4	Thu Jan 14	Scope of Collective Bargaining Law Casebook: pp. 192-255
SESSION 5	Tue Jan 19	Unfair Labour Practices I Casebook: pp. 272-301
SESSION 6	Thu Jan 21	Unfair Labour Practices II Casebook: pp. 301-342 Supplement: Macklem, "Property, Status, and Workplace Organizing"
SESSION 7	Tue Jan 26	Determining Employee Support Casebook: pp. 394-414
SESSION 8	Thu Jan 28	Bargaining Unit Determination Casebook: pp. 343-394
SESSION 9	Tue Feb 2	Negotiations I Casebook: pp. 418-455
SESSION 10	Thu Feb 4	Negotiations II Casebook: pp. 455-502
SESSION 11	Tue Feb 9	Industrial Conflict I Casebook: pp. 503-508, 526-559
SESSION 12	Thu Feb 11	Industrial Conflict II Casebook: pp. 559-574, 588-599, 606-610, 617-628
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|------------|------------|---|
| SESSION 14 | Thu Feb 25 | <p>Arbitration I
 Casebook: pp. 682-685, 686-687, 714-737
 Supplement: <u>Wardair</u> (1988), 63 O.R.(2d) 471 (Div.Ct.); <u>CUPE v. Metropolitan Toronto</u>. (1990), 74 O.R. (2d) 239 (C.A.).</p> |
| SESSION 15 | Tue Mar 2 | <p>Arbitration II
 Casebook: pp. 737-762, 783-789</p> |
| SESSION 16 | Thu Mar 4 | <p>Labour and Judicial Review
 Casebook: pp. 242-244, 795-807, 821-828
 Supplement: <u>l'Acadie v. CLRB</u> (1984), 14 D.L.R.(4th) 457 (S.C.C.); <u>Paccar of Canada v. CAIMAW</u> (1989), 62 D.L.R. (4th) 437 (S.C.C.).</p> |
| SESSION 17 | Tue Mar 9 | <p>Labour and the <u>Charter</u>
 Casebook: pp. 509-526, 685-686, 662-667,
 Supplement: <u>PIPS v. Northwest Territories</u> (1990), 72 D.L.R.(4th) 1 (S.C.C.); <u>Ref. Re. Workers' Compensation Act</u> (1983), 56 D.L.R. (4th) 765 (S.C.C.).</p> |
| SESSION 18 | Thu Mar 11 | <p>Internal Union Affairs I
 Casebook: pp. 808-849</p> |
| SESSION 19 | Tue Mar 16 | <p>Internal Union Affairs II
 Casebook: pp. 849-893
 Supplement: <u>Lavigne v. O.P.S.E.U.</u></p> |
| SESSION 20 | Thu Mar 18 | <p>Collective Bargaining Law and its Critics
 Casebook: pp. 11-16, 49-64, 168-191</p> |
| SESSION 21 | Tue Mar 23 | <p>Employment Standards I
 Casebook: pp. 21-27, 690-962, 914-953
 Supplement: <u>Re Falconbridge Nickle Mines Ltd.</u> (1983), 42 O.R. (2d) 179 (Ont. C.A.).</p> |
| SESSION 22 | Thu Mar 25 | <p>Employment Standards II
 Casebook: pp. 953-1000
 Supplement: <u>Slaight Communications Inc. v. Davidson</u> (1989), 59 D.L.R.(4th) 416 (S.C.C.)</p> |

SESSION 23	Tue Mar 30	Human Rights Legislation I Casebook: pp. 1001-1020 Supplement: <u>City of Saskatoon v. Saskatchewan Human Rights Comm'n</u> (1989), 65 D.L.R.(4th) 481 (S.C.C.); <u>City of Moosejaw v. Saskatchewan Human Rights Commission</u> (1989), 65 D.L.R.(4th) 531 (S.C.C.)
SESSION 24	Thu Apr 10	Human Rights Legislation II Casebook: pp. 1020-1027, 1059-1066, 1059-1064 Supplement: <u>Brooks v. Canada Safeway; Janzen v. Platy Enterprises; Renaud v. Board of Education of Central Okanagan no. 23 and CUPE</u>
SESSION 25	Tue Apr 6	Pay Equity Casebook: pp. 1020-1027, 105 Supplement: <u>Municipality of Haldiman-Norfolk; Re: Municipality of Haldiman-Norfolk</u>
SESSION 26	Thu Apr 8	Review

MONDAY, APRIL 26: EXAMINATION

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